

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS

UNCLAS STATE 080136

FOLLOWING REPEAT USDEL MTN GENEVA 2385 SENT ACTION SECSTATE

DTD 7 APR 75

QUOTE:

UNCLAS MTN GENEVA 2385

PASS STR FOR KELLY

E.O. 11652: NA

TAGS: ETRD GATT

SUBU: MTN: NON-TARIFF MEASURES SUBGROUP: QUANTITATIVE RESTRICTIONS

REF: MTN GENEVA 2339

1. FOLLOWING IS PORTION OF TEXT OF GATT SECRETARIAT BACKGROUND NOTE
(MTN/NTM/W/2) DATED APRIL 3, 1975) MENTIONED IN PARA 3
REFTEL. THIS PORTION DELAS WITH ISSUES SUGGESTED BY SECRETARIAT
FOR DISCUSSION AT MEETING ON QUANTITATIVE RESTRICTIONS
BEGINNING APRIL 22. FULL TEXT OF MTN/NTM/W/2 FORWARDED
BY AIR APRIL 7.

2. QUOTE: MAIN ISSUES

(13) THE PREVIOUS DISCUSSIONS, INCLUDING THE ONE HELD
AT THE MEETING OF THE GROUP "NON-TARIFF MEASURES" ON
4-7 MARCH 1975, SEEMS TO HAVE RELATED INTER ALIA TO THE
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FOLLOWING MAIN ISSUES:

(A) SHOULD A DISTINCTION BE MADE IN THE NEGOTIATIONS BETWEEN QUANTITATIVE RESTRICTIONS WHICH ARE "LEGAL" UNDER THE GENERAL AGREEMENT, THOSE WHICH ARE "LEGALIZED" BY WAIVERS AND PROTOCOLS OF ASSESSION AND THOSE WHICH ARE "ILLEGAL"? CAN SUCH DISTINCTIONS BE MEANINGFULLY MADE?

(B) WHAT APPROACH SHOULD BE USED IN THIS AREA? SHOULD AN ATTEMPT BE MADE TO:

- 1) DRAW UP RULES OF AUTOMATIC APPLICATION;
- 2) DRAW UP GENERAL OBJECTIVES AND GUIDELINES WHICH WOULD GOVERN THE DETAILED NEGOTIATIONS; OR
- 3) PROCEED DIRECTLY TO NEGOTIATIONS PRODUCT BY PRODUCT (OR GROUP OF PRODUCTS BY GROUP OF PRODUCTS) ON THE BASIS OF SPECIFIC REQUESTS AND OFFERS; OR
- 4) SOME COMBINATION OF THE ABOVE APPROACHES?

(C) HOW SHOULD QUANTITATIVE RESTRICTIONS OF INTEREST TO DEVELOPING COUNTRIES BE DEALT WITH IN THE NEGOTIATIONS HAVING REGARD TO THE CONSIDERATION OF DIFFERENTIATED TREATMENT TO DEVELOPING COUNTRIES WHERE FEASIBLE AND APPROPRIATE IN THIS AREA?

D) SHOULD DEVELOPING COUNTRIES UNDERTAKE ANY OBLIGATIONS IN THIS AREA, CONSISTENT WITH THEIR INDIVIDUAL DEVELOPMENT, FINANCIAL AND TRADE NEEDS?

(E) SHOULD TEXTILE PRODUCTS BE DEALT WITH OR NOT IN THE NEGOTIATIONS TO BE CONDUCTED BY THE GROUP?

(F) HOW SHOULD DISCRIMINATORY QUANTITATIVE RESTRICTIONS BE DEALT WITH?

(G) HOW SHOULD SO-CALLED VOLUNTARY EXPORT RESTRAINTS BE DEALT WITH?

(H) TO WHAT EXTENT IS THE ELIMINATION OF (I) RESIDUAL RESTRICTIONS OR (II) SO-CALLED VOLUNTARY EXPORT RESTRAINTS LINKED TO THE EXAMINATION OF ISSUES IN OTHER SECTORS OF THE NEGOTIATIONS?

(I) SHOULD A STANDSTILL AGREEMENT BE NEGOTIATED PENDING THE FINAL CONCLUSION OF THE NEGOTIATIONS?

(J) SHOULD THERE BE ANY NEW PROCEDURES ESTABLISHED TO DEAL WITH PROBLEMS WHICH ARISE IN CONNECTION WITH THE IMPLEMENTATION OF ANY AGREEMENT IN THIS AREA, E.G. CONSULTATIONS, SURVEILLANCE AND CONCILIATION PROCEDURES?

(K) SHOULD A REPORTING PROCEDURE BE INCLUDED IN ANY UNCLASSIFIED

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AGREEMENT REACHED? UNQUOTE. MCNAMARA UNQUOTE
KISSINGER

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NNN

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